

## LUCE FORWARD

ATTORNEYS AT LAW • FOUNDED 1873  
Luce, Forward, Hamilton & Scripps LLP

600 West Broadway  
Suite 2600  
San Diego, CA 92101  
619.236.1414  
619.232.8311 fax  
www.luce.com

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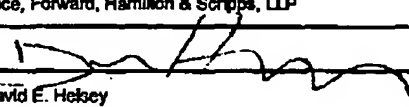
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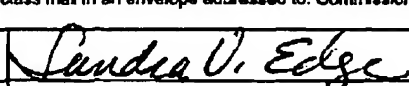
<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10776,436	
	Filing Date	February 10, 2004	
	First Named Inventor	James ALBANO	
	Art Unit	3834	
	Examiner Name	Hugh B. THOMPSON	
Total Number of Pages in This Submission	3	Attorney Docket Number	30140-2/P02

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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Luce, Forward, Hamilton & Scripps, LLP		
Signature			
Printed name	David E. Healey		
Date	May 23, 2005	Reg. No.	42,651

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Typed or printed name	Sandra V. Edge	Date	May 23, 2005

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**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING  
REJECTION OVER A "PRIOR" PATENT**Docket Number (Optional)  
30140-2/P02

In re Application of: ALBANO, James

Application No.: 10/776,436

Filed: February 10, 2004

For: SUSPENDED SCAFFOLDING SYSTEM

The owner, James ALBANO, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term prior patent No. 6,722,468 as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said prior patent is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend in the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, "as the term of said prior patent is presently shortened by any terminal disclaimer," in the event that said prior patent later:

- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

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1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Reg. No. 42,651

  
\_\_\_\_\_  
Signature

May 23, 2005  
\_\_\_\_\_  
Date

David E. Helsey  
\_\_\_\_\_  
Typed or printed name

(619) 233-2964  
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Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

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\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
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